

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARTHUR STEINBERG, as temporary receiver of
Sagam Capital Management Corp. and Sagam
Capital LLC; B.B.C.F.D., S.A.; SKILLED
INVESTORS INC.,

Plaintiffs,

-against-

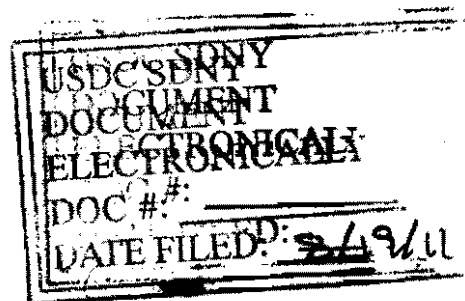
BANK JULIUS BAER & CO., LTD.; WAXFIELD
LTD.,

Defendants.

ALVIN K. HELLERSTEIN, U.S.D.J.:

**SUMMARY ORDER GRANTING
MOTION TO CONFIRM FINAL
ARBITRATION AWARD,
DENYING ALL OTHER
MOTIONS, AND CLOSING CASE**

04 Civ. 2339 (AKH)



On August 17, 2011, counsel for Waxfield Ltd.; Productos Paraiso del Peru, S.A.; Rutland Enterprises Inc. A.V.V.; and Bank Julius Baer & Co., Ltd. appeared before me for oral argument on a number of motions related to an arbitration proceeding that spanned almost five years, from February 2006 until November 2010, and that resolved disputes between Waxfield and Bank Julius Baer and between Productos Paraiso del Peru and Bank Julius Baer.

For the reasons stated on the record of the proceedings, I conclude that I have subject matter jurisdiction to decide the pending motions and I rule as follows:

The motion of non-party Rutland to intervene in these proceedings is denied;

The motion of non-party Rutland to partially vacate and modify the final arbitration award is denied;

The motion of Waxfield and Productos Paraiso del Peru for an evidentiary hearing on arbitrator conflicts of interest and partiality is denied;

The motion of Bank Julius Baer to confirm the final arbitration award is granted;

The motion of Waxfield and Productos Paraiso del Peru to partially vacate and modify the final arbitration award is denied; and


The motion of Bank Julius Baer for leave to file a reply brief in support of its motion to confirm the final arbitration award is denied as moot.

The parties shall settle judgment on five days' notice confirming the final arbitration award in favor of Bank Julius Baer. Any dispute shall be tendered to the court using the format provided in my Individual Rule 2.E.

The Clerk shall mark all motions (Doc. Nos. 118, 121, 127, 136, 139, 150) terminated and the case closed.

SO ORDERED.

Dated: August 18, 2011
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge